

	INDIANA DEPARTMENT OF CHILD SERVICES TITLE IV-D POLICY MANUAL	
	Chapter 4: Temporary Assistance for Needy Families (TANF) Cases	Effective Date: 04/24/2025
	Section 5: Family Benefit Cap Cases	Version: 2 Revision Date: 02/14/2025

BACKGROUND

The “family benefit cap” was the exclusion from additional benefits for a child born ten (10) or more months after the family became eligible for Temporary Assistance for Needy Families (TANF).¹ To comply with the family benefit cap requirements, when there were child(ren) who were receiving TANF benefits and child(ren) who were not receiving TANF benefits in the same family, two (2) Title IV-D cases were created in the statewide child support system – one case for the child(ren) receiving TANF and one case for the child(ren) subject to the family benefit cap. The case created for the child(ren) subject to the family benefit cap was the family benefit cap case.

Neither the Division of Family Resources (DFR) nor the Child Support Bureau (CSB) could require the parent or caretaker relative to assign the rights to child support for a child who was subject to the family benefit cap.² Any child support collected for this child was paid to the family and not retained by the State.³

This statute requiring exclusion of after born children from additional TANF benefits was repealed effective January 1, 2022.⁴

POLICY

Effective January 1, 2024,, no new cap cases are being created. Cases previously created in the statewide child support system that have the same court cause number shall be consolidated in the statewide child support system in order to have all the children of the same parents on the same case. ⁵

REFERENCES

- [*Williams ex rel. Ricard v. Humphreys*](#), 125 F. Supp. 2d 881 (S.D. Ind. 2000)

PROCEDURE

¹ This was previously found in IC 12-14-2-5.3(b); 470 IAC 10.3-9-2(a)

² *Williams ex rel. Ricard v. Humphreys*, 125 F.Supp.2d 881 (S.D. Ind. 2000)

³ *Williams ex rel. Ricard v. Humphreys*, 125 F.Supp.2d 881 (S.D. Ind. 2000)

⁴ P.L. 103-2023, Sec. 14 and 20

⁵ Instructions for Completing Form OCSS-157, the Child Support Enforcement Annual Data Report, Section A: Case Inventory

When there are two (2) cases for one (1) family due to the previous family benefit cap and both cases are under the same court order, the Title IV-D Prosecutor's Office shall consolidate these cases in the statewide child support system.⁶ Prior to consolidating, the Title IV-D Prosecutor's Office shall complete an arrears calculation to verify the correct amount of family owed arrears and State owed arrears. Please see the Consolidating Cases in ISETS Guide for further direction.

FORMS AND TOOLS

[Consolidating Cases in ISETS Guide](#)

FREQUENTLY ASKED QUESTIONS

N/A

RELATED INFORMATION

Title IV-D workers may see that there were prior family benefit cap cases in the statewide child support system. When the family benefit cap was in place, a new non-public assistance Title IV-D case was created on the statewide child support system for the custodial party (CP), non-custodial parent (NCP), and child(ren) subject to the family benefit cap. The court cause number from the Title IV-D TANF case was also entered on the family cap case, but the letters CAP were added to the end of the cause number to designate it as the family cap case. The total current child support order from the Title IV-D TANF case was divided by the total number of children on both cases. (Example: Order was for \$50.00 and there was a total of five (5) children. The amount per child was \$10.00.) The amount per child was then multiplied by the number of children on each case and entered as the ordered amount for each case. (Example: The amount per child was \$10.00. There were three (3) children on the Title IV-D TANF case; therefore, the order amount entered on the statewide child support system for this case was \$30.00. There were two (2) children on the cap case; therefore, the order amount on the statewide child support system for this case was \$20.00.)

REVISION HISTORY

Version	Date	Description of Revision
Version 1	06/16/2015	Final approved version
Version 1.1	07/30/2020	Updated links and terminology
Version 2	04/24/2025	Revised to address the repeal of the family benefit cap

⁶ Instructions for Completing Form OCSS-157, the Child Support Enforcement Annual Data Report, Section A: Case Inventory